

## **REMARKS**

Applicants respectfully request reconsideration in view of the following remarks and amendments. Claims 1 and 9 are amended. Accordingly, claims 1-7, 9-15 and 17-29 are pending in the application.

### **I. Claims Rejected Under 35 U.S.C. § 103**

Claims 1-6, 9-14 and 17-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,065,562 issued to Courtney in view of U.S. Patent No. 7,054,924 issued to Harvey et al.

Claim 1, as amended, recites the elements of “a CLI tag in which all CLI tag attributes are omitted is a pure aggregation tag (PAT) in which subordinate CLI tags enclosed in the PAT are materialized more than once” (emphasis added). The amendments clarify some of the limitations in response to the Examiner’s remarks on page 2 of the Office Action. In particular, the Examiner stated that the previous amendments filed in the last response to Office Action were considered optional language and not subject to patentable weight. Therefore, in response, Applicants have amended the claim language as disclosed above to solely clarify that the claim language is to be interpreted as non-optional.

Moreover, the cited art fails to teach or suggest the above cited elements in amended claim 1. Instead, the portion of Harvey cited by the Examiner discloses that the system may use a configuration template that has zero parameters directly as a configuration file. See Harvey, column 20, lines 57-60. In the Office Action (see last paragraph on page 4), the Examiner has improperly interpreted Harvey’s configuration template (i.e., the whole configuration file) as equivalent to the “pure aggregation tag” and the CLI strings in the configuration file as the “subordinate CLI tags,” as recited in claim 1. However, the configuration template *should not be considered equivalent* to the “pure aggregation tag,” as recited in claim 1. A tag as understood by a skilled artisan is, for example, a string formatted to conform to a particular syntactical requirement and not a configuration template (e.g., that includes multiple CLI strings) as the Examiner has attempted to assert in the Office Action. In addition, Harvey also recognizes this understanding of what a tag entails by disclosing, “[a] device-specific instance of the configuration information is created and stored, based on the template and the values of

parameters and conforming to an Extensible Markup Language Document Type Definition (XML DTD), comprising one or more XML tags that delimit the configuration information” (emphasis added). See Harvey, column 2, lines 59-65.

In particular, Harvey discloses in Table 13 an example configuration template. However, the example configuration template fails to teach or suggest the elements of the “pure aggregation tag” in the manner recited in amended claim 1. The Examiner has failed to particularly point out which string found in the configuration template is allegedly equivalent to the elements of “a CLI tag in which all CLI tag attributes are omitted is a pure aggregation tag (PAT) in which subordinate CLI tags enclosed in the PAT are materialized more than once,” as recited in amended claim 1. In other words, Applicants respectfully submit that Harvey fails to teach or suggest that the strings included in the configuration template satisfy the required inter-relationship between the elements of “pure aggregation tag” and the “subordinate CLI tags enclosed in the PAT are materialized more than once.” Consequently, for at least these reasons, the cited art fails to teach or suggest each element in amended claim 1. In addition, with respect to dependent claims 2-6, these claims are at least patentable over the cited art because each of these claims depends on base claim 1. Accordingly, reconsideration and withdrawal of the rejection of claims 1-6 are respectfully requested.

With respect to claim 9, this claim, as amended, recites analogous elements to those in claim 1. Thus, amended claim 9 is patentable over the cited art for at least the reasons discussed above in connection with amended claim 1. In addition, with respect to dependent claims 10-14 and 17-29, these claims are patentable over the cited art because each of these claims depends on claim 9. Accordingly, reconsideration and withdrawal of the rejection of claims 9-14 and 17-29 are respectfully requested.

## **II. Allowable Subject Matter**

Applicants respectfully acknowledge with appreciation the Examiner’s indication that claims 7 and 15 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 7 and 15 depend from claims 1 and 9, respectively, and incorporate the limitations thereof. As previously discussed, claims 1 and 9 are patentable over the cited art. Thus, for at least the reasons that claims 7 and 15 depend from

respective allowable base claims, Applicants believe claims 7 and 15 are patentable over the cited art without rewriting the claims in the manner proposed by the Examiner. Accordingly, Applicants respectfully request consideration and allowance of claims 7 and 15 at the Examiner's earliest convenience.

## **CONCLUSION**

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

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Melissa Stead 12-22, 2008